

REMARKS

Claims 1 - 27 are pending in the application. Claim 28 has been cancelled. Claims 29 – 73 are withdrawn from consideration. Claims 1 – 27 are rejected. Claim 1 is amended to incorporate limitations of claims 2, 3, 17, and 18. Claims 2, 3, 17, and 18 are cancelled. Reconsideration and withdrawal of the rejections set forth in the Office Action dated April 2, 2007 are respectfully requested.

Claim Objections – 35 USC § 103:

Claims 1, 2, 4, 5, 10, 13, 17, and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci in view of Reed et al. (US 20050004978 A1).

Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of Mauro.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of Ramachandran.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of House.

Claims 11, 14, 15, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of Paul.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of Chauvin.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berarducci and Reed, as applied to claim 1 and further in view of von Rosen.

The Cited Prior Art

Berarducci et al.

Berarducci et al. disclose a method of transferring images captured by a digital camera to a remote memory location over a channel such as the Internet. The remote memory location may be a fulfillment center. The method of Berarducci et al. includes the placing of orders by users with fulfillment centers for the processing and fulfillment of images taken with digital cameras.

To place an order, a user logs onto an Internet site and enters name, password, and delivery and billing information to establish a service user account. A menu of customized digitally printed products and prices, customizable features are provided for selection. Next, the user selects images to be uploaded and the upload time. The order information provided by the user is stored in the user's account. The production controller then creates the photo products based on the user's order and a shipping label attached to a shipping container. The user's customer account is billed for the order, and the product is shipped to the user, typically by US mail or a shipping service such as UPS or Federal Express.

The user provides several types of information in the course of placing an order. In addition to user name, password, delivery and billing information, the user provides further service account information listing desired photo product options. Such options include the page size, background style, and type of albums, the frame size, frame style, and matte style of framed prints, and the print size and print finish of service prints. However, the service account information does not include such features as a choice of digital photography enhancement, a choice of automated rendering, a choice of digital photography layout, or a preferred means of notification. Berarducci et al. thus teach away from the user personalization aspect of the user provisioner in the system of the applicant, which includes those features.

Additionally, in the system of Berarducci et al., the user must manually input the service account options when placing an order on at least one occasion. The options are not included automatically when the order is placed. Thus, Berarducci et al. also teach away from automatic performance of sending an order including the user provisioner of the system of the applicant, as the service account options do not directly correspond to the features of the user provisioner and the inclusion of the options is not automatic.

Reed et al.

Reed et al. describes a computer implemented method for on-line purchasing via the global Internet. Customer data usable to automatically complete an on-line purchase by the customer of an item from a seller is received and stored at a node connected to the Internet (Abstract).

House et al.

House et al. disclose a system, method, computer program product, and data signal for providing a media-related service for planning and executing a marketing communications campaign using a computer-implemented system. House et al. teach that the marketing medium may be direct mail, but do not disclose or suggest direct mail, self mailer, or drop-off mailer as a means of identifying a user.

Chauvin et al.

Chauvin et al. teach a system, method, and software product for ordering of digital photo services among a plurality of order terminals. Chauvin et al. state that many different types of order terminals are possible, and state that an order terminal may be a portable wireless imaging device such as a cell phone, a personal digital assistant (PDA), or a digital camera. Chauvin et al. thus give personal digital assistants and digital cameras as examples of wireless imaging devices.

The Prior Art Distinguished**Claim 1:**

Claim 1 is amended to incorporate limitations of claims 2, 3, 17, and 18, while claims 2, 3, 17, and 18 are cancelled.

Regarding element (c), the examiner suggested that Berarducci discloses "said personalization aspects include a choice of digital photography enhancement (at least paragraph [0043]: addition of time stamp)". However, adding time data provides only additional information (temporal), but does not "enhance" the digital photography itself. It is well known in the art of digital photography that enhancement may be accomplished by modifying the the image's color and brightness information stored in the pixel of the digital photography, for example. Also, the enhancement may include sharpening or softening of images by edge enhancement or blurring. Edge enhancement is an extremely common technique used to make images appear sharper. Another example of digital photography enhancement well known in the art is red eye reduction, which eliminates reflections from widely open pupils. The "digital photography enhancement" in the present application should be distinguished from addition of time stamp, as illustrated by the above examples well known in the art.

Also, the examiner suggested that Berarducci discloses "a choice of automated rendering (at least paragraph [0044]: selection of size)". However, the selection of size is different from selection of automated rendering (e.g., ignore over-developed or under-developed photographs or automatic image rotation). It is well known in the art that rendering involves the process of creating, shading and texturing of an image, especially a photorealistic one. Size selection should be distinguished from "a choice of automated rendering (e.g., ignore over-developed or under-developed photographs or automatic image rotation)" as in claim 1 of the present application.

At least for the above reasons, "a user provisioner, wherein ... said personalization aspects include a choice of digital photography enhancement, a choice of automated rendering (e.g., ignore over-developed or under-developed photographs or automatic image rotation) ..." is not disclosed in Berarducci. Even if Reed teaches "a preferred means of notification" element as the examiner asserts, Reed does not teach

the above "user provisioner" as disclosed in the present application. Therefore, claim 1 is not made obvious over Berarducci in view of Reed. Further, claim 1 is amended to incorporate limitations of claims 2, 3, 17, and 18.

Accordingly, the applicant respectfully submits that claim 1 and also claims 4-16, 19-27 which depend from claim 1, are allowable over the prior arts: Berarducci in view of Reed.

CONCLUSION

In view of the foregoing amendment, the applicant submits that claims 1, 4-16, 19-27 pending in the application are allowed. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4441.

Respectfully submitted,
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